

RECEIVED
CENTRAL FAX CENTER

REMARKS

SEP 18 2006

Applicants have previously pointed out to the Examiner that their capillaries are individual tubes, having structures which are defined by their internal and external diameters; the difference between the two being a defined wall thickness. The tubes, although grouped together in bundles, are free-standing tubes.

Applicants have also pointed out to the Examiner that Bullhouse's ducts are essentially holes passing through in a porous block of support material. As such, Bullhouse's ducts do not have any defined external diameters. Bullhouse's ducts are therefore completely different than and non-suggestive of Applicants' capillaries.

In response, the Examiner points to the language at col. 3, lines 55-64 of the Bullhouse reference which, according to the Examiner, makes it clear that the rods/capillaries (26) of Bullhouse have an external diameter and particulate clay is used to fill the spaces between the rods (26).

The Examiner certainly knows that a rod is not a capillary, however.

The language the Examiner cites should be read in context. Applicants therefore reproduce the language from col. 3, lines 50-63 below:

In this process, and with reference to FIG. 7, a tubular metal container 24 has the required number of duct defining rods 26 fixed within it. The duct defining rods of the present invention have

helical formations projecting therefrom and are screwed into the top and bottom end plates of the metal container. Particulate clay 28 in dry or slurry form or glass or other ceramic or polymeric material is introduced into the space between the duct defining rods 26. When filled, the container is heated in an oven to the temperature required to fire the clay or other porous material. When the fired block has cooled, the duct defining rods 26 are unscrewed from the porous block and the block is retracted from the metal container. The duct defining rods 26 and/or the metal container 24 may be slightly tapered to improve release.

From this language, it is absolutely clear that Bullhouse first prepares a tubular metal container 24 with duct defining rods passing through it. Thus, the container 24 has rods 26 passing through it. The rods 26 are clearly solid rods, not hollow capillaries.

Then, Bullhouse introduces clay into the spaces surrounding the rods within the container, and fires the clay to solidify it. At this point, Bullhouse has a solid clay block, with solid rods passing through it.

Then, Bullhouse withdraws the rods from the solid block of clay, to leave behind a solid block of clay with ducts (i.e., the "holes" left behind when the rods are withdrawn) passing through it.

Such ducts are clearly not individual free-standing tubes, having structures which are defined by their internal and external diameters, such as Applicants' capillaries.

The Examiner contends that it would have been obvious to one of ordinary skill in

the art to modify the system (of Bullhouse) such that the external and internal diameter ranges and the distance between the capillaries/rods as recited in claims 3-6 and 8-9 to achieve optimum filtration.

It is clear, however, that Bullhouse's ducts, being essentially holes through a solid block of clay, do not have external diameters in the same way as Applicants' capillaries do. The Examiner has not explained how external diameters, which do not exist in the first place, can be "optimized".

The rejection of Applicants' claims over the Bullhouse reference is clearly without merit and should be withdrawn.

Favorable action is respectfully solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

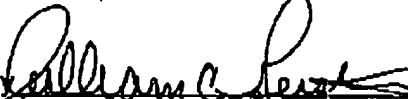
RECEIVED
CENTRAL FAX CENTER

SEP 18 2006

ADDITIONAL FEE

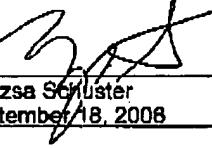
Please charge any insufficiency of fee or credit any excess to Deposit Account
No. 14-1263.

Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS, P.A.

By 
William C. Gerstenzang
Reg. No. 27,552

WCG/tmo
875 Third Avenue, 18th Floor
New York, NY 10022
(212) 808-0700
Fax: (212) 808-0844

I hereby certify that this correspondence is being
transmitted via facsimile, no 571-273-8300 to the United
States Patent and Trademark Office, addressed to: Mail
Stop AF, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on the date below.

By 
Zsuzsa Schuster
Date September 18, 2008